

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

**RAUL NOVOA, JAIME CAMPOS  
FUENTES, ABDIAZIZ KARIM, and  
RAMON MANCIA**, individually and  
on behalf of all others similarly situated,

*Plaintiffs,*

v.

**THE GEO GROUP, INC.,**

*Defendant.*

Civil Action No. 5:17-cv-02514-JGB-SHKx

**DECLARATION OF DANIEL  
CHAREST IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION**

I, Daniel Charest, declare that the following is true and correct based upon my personal knowledge:

1. I am an attorney for the Plaintiffs' in the above-captioned action.
2. I have been practicing law since 2004.
3. I am a 2004 graduate of Tulane University Law School, where I graduated summa cum laude.
4. During law school, I was the managing editor of the Tulane Law Review, 2003-2004. I completed an externship for The Hon. Martin L.C. Feldman for the Eastern District of Louisiana from 2003-2004.
5. After law school, I was an associate at Winston & Strawn in Washington, D.C.
6. I clerked for The Hon. Edith Brown Clement on the U.S. Court of Appeals for the Fifth Circuit from 2005-2006.

1           7.     Following my clerkship, I joined a nationally-recognized litigation  
2 boutique, Susman Godfrey, where I became partner, tried cases, and ran my clients'  
3 cases.

4           8.     I am currently Partner at Burns Charest, LLP, in Dallas, TX.

5           9.     I am admitted to practice in Texas (2007), the District of Columbia (2005),  
6 the United States Virgin Islands (2016), and Virginia (inactive, 2004), as well as numerous  
7 federal districts and appellate courts across the country.

8           10.    I was selected in the 2017-2020 editions of The Best Lawyers in America,  
9 a highly regarded listing of the nation's top attorneys.

10          11.    I was named "Rising Star" in Texas by Law & Politics Magazine (Thomas  
11 Reuters) from 2012-2014.

12          12.    I was named "Future Star" in Texas by Benchmark Litigation: The  
13 Definitive Guide to America's Leading Litigation Firms & Attorneys in 2012, 2013,  
14 2014, and 2017.

15          13.    My body of work reaches beyond any particular practice area. I have  
16 handled matters involving antitrust, breach of contract, oil & gas, financial-service  
17 company disputes, business torts, such as trade secret misappropriation and unfair  
18 competition, consumer protection, class actions, fraud, insurance bad faith, and  
19 wrongful death.

20          14.    My work has taken me all over the United States, in both federal and state  
21 courts. It has involved procedural and jurisdictional challenges such as removal and  
22 remand, class certification, transfers, temporary restraining orders, temporary  
23 injunctions, and appeals. All in all, my body of work involves high-stakes litigation.

24          15.    I have extensive experience in the federal courts. I am or was counsel or  
25 co-counsel for the following federal court cases:

- 26               a. *In re Upstream Addicks and Barker (Texas) Flood-Control Reservoirs*, No. 17-cv-  
27               9001L; U.S. Court of Federal Claims  
28

- b. *In re Crude Oil Commodity Futures Litigation*, Case No. 1:11-cv-3600; U.S. District Court for the Southern District of New York
- c. *In re Kosmos Energy Ltd. Securities Litigation*, No. 3:12-cv-373-B; U.S. District Court for the Northern District of Texas
- d. *Trinity Valley School, et al. v. Chesapeake Operating, Inc.*, No.3:13-cv-01082-K; U.S. District Court for the Northern District of Texas
- e. *F. Ruggiero & Sons, Inc. et al., v NYK Line (North America) Inc. et al.*, No. 2:13-cv-03306; U.S. District Court for the District of New Jersey
- f. *Fort Worth 4th Street Partners, L.P. et al., v. Chesapeake Energy Corp., et al.*, No. 3:14-cv-03871; U.S. District Court for the Northern District of Texas
- g. *In re Xarelto (Rivaroxaban) Products Liability Litigation*, No. 2:14-md-02592; U.S. District for the Eastern District of Louisiana
- h. *FTC Solar Capital XIX LLC v. Folium Energy Development LLC et al.*, No. 2:15-cv-00875; U.S. District Court for Arizona
- i. *In re Asbestos, Catalyst, and Silica Toxic Dust Exposure Litigation*, Master Docket No. SX-15-CV-096; U.S. Virgin Islands
- j. *In re Volkswagen "Clean Diesel" Marketing, Sale Practices, and Products Liability Litigation*, No. 3:15-md-02572; U.S. District Court for the Northern District of California
- k. *Ironclad Performance Wear Corporation v. Orr Safety Corporation*, No. 3:15-cv-03453; U.S. District Court for the Northern District of Texas
- l. *In re Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation*, Case No. 3:16-md-2738; U.S. District Court for the District of New Jersey
- m. *Antero Resources Corporation v. C&R Downhole Drilling, Inc., et al.*, No. 4-16-CV-668-Y; U.S. District Court for the Northern District of Texas Fort Worth Division

- n. *In re Anadarko Basin Oil and Gas Lease Antitrust Litigation*, Case No. 5:16-CV-00209-M; U.S. District Court for the Western District of Oklahoma
- o. *Rio Tinto PLC et al v. RSM US LLP*, No. 2:16-cv-00378; U.S. District Court for the District of Utah
- p. *Bhatia et al., v. 3M Company*, No. 0:16-cv-01304; U.S. District Court for the District of Minnesota
- q. *Ruth Ann McNeil, et al. v. Citation Oil & Gas Corp.*, Case No. 17-CIV-121-RAW; U.S. District Court for the Eastern District of Oklahoma
- r. *Leaf Trading Cards, LLC v. The Upper Deck Company*, No. 3:17-cv-03200; U.S. District Court for the Northern District of Texas
- s. *McNeill et al., v. Citation Oil & Gas Corp.*, No. 6:17-cv-00121; U.S. District Court for the Eastern District of Oklahoma
- t. *In re Equifax, Inc., Customer Data Security Breach*, No. 1:17-md-02800; U.S. District Court for the Northern District of Georgia
- u. *E-System Design, Inc. v. Mentor Graphics Corporation*, No. 4:17-cv-00682; U.S. District Court for the Eastern District of Texas
- v. *Jia et al., v. Nerium International, LLC, et al.*, No. 3:17-cv-03057; U.S. District for the Northern District of Texas
- w. *Whitton Petroleum Services Limited v. Cobalt International Energy, Inc., et al.*, No. 4:18-cv-01239; U.S. District Court for the Southern District Texas of Houston Division
- x. *Neiberger, et al., v. Deutsche Bank AG*, No. 1:19-cv-03005; U.S. District for the Southern District of New York
- y. *Brothers Produce of Dallas Inc. v. Four Leaf Ventures et al.*, No. 3:19-cv-00220; U.S. District for the Northern District of Texas

1           16. I currently serve as lead or co-lead on complex cases throughout the  
2 country. I will devote all resources necessary to prosecute and resolve this case efficiently  
3 and effectively. Some examples of complex, class and multi-party experience, include:

4           a. *In re Upstream Addicks and Barker (Texas) Flood-Control Reservoirs*, No. 17-cv-  
5 9001L; U.S. Court of Federal Claims (co-lead class counsel for Upstream  
6 plaintiffs in the largest ever Fifth Amendment takings case against the  
7 federal government).

8           b. *In re Chesapeake Barnett Royalty Litigation #2*, MDL No. 48-000000-15 (48th  
9 District Court, Tarrant County, Texas) (serving as co-liaison counsel for  
10 royalty and mineral owners in mass action against operator for royalty  
11 underpayment) (representing individual client groups within the MDL in  
12 individual cases *sub nom Addax Minerals Fund, LP, et al. v. Chesapeake*  
13 *Operating, L.L.C./ (f/k/a Chesapeake Operating, Inc.), et al.*, Pre-Trial Cause  
14 No. 048-287074-16; Trial Cause No. DC-16-07867 (48th District Court,  
15 Tarrant County, Texas); *MAPFCB13-NET, et al. v. Chesapeake Operating,*  
16 *L.L.C. (f/k/a Chesapeake Operating Inc.), et al.*, Pre-Trial Cause No. 048-  
17 288985-16; Trial Cause No. DC-C201600542 (48th District Court, Tarrant  
18 County, Texas); and *Black Stone Minerals Company L.P. v. Chesapeake Operating*  
19 *L.L.C. (f/k/a/ Chesapeake Operating Inc.), et al.*, Pre-Trial Cause No. 048-  
20 288334-16; Trial Cause No. DC-C201600447 (48th District Court, Tarrant  
21 County, Texas).

22           c. *In re Asbestos, Catalyst, and Silica Toxic Dust Exposure Litigation*, Master  
23 Docket No. SX-15-CV-096 (U.S.V.I. Sup. Ct.) (serving as co-lead counsel  
24 on behalf of several hundred individual workers exposed to asbestos and  
25 other toxic dusts while working in a refinery on St. Croix, U.S.V.I.).

26           d. *In re Crude Oil Commodity Futures Litigation*, No: 1:11-cv-03600-KBF  
27 (S.D.N.Y. Feb 13, 2015) (class certification hearing; settled before the  
28 Court ruled on the contested class) (served as co-lead counsel for the class).

- e. *In re Kosmos Energy Ltd. Securities Litigation*, 229 F.R.D. 133 (N.D. Tex. 2014) (denying plaintiff's motion to certify a class in a securities action against defendant client, Kosmos Energy) (served as lead attorney on case).
- f. *Comcast Corp. v. Behrend*, 133 S. Ct. 1426 (2013) (reversing class certification) (served as co-lead counsel for the class and second chair for Supreme Court argument; wrote opposition to petition for certiorari).
- g. *Atlas Venture I, LLC and Ashford Hospitality Finance LP v. Wachovia Bank, N.A., Bank of American, N.A., U.S. Bank, as trustee for Maiden Lane Commercial Mortgage-Backed Securities Trust 2008-1, Maiden Lane Mortgage-Backed Securities Trust 2008-1, Blackrock Financial Mgmt., Inc., and Merrill Lynch Mortgage Lending, Inc.*, No. 09-07058 (116th District Court, Dallas County, Texas June 5, 2009) (granting temporary restraining order to stop \$7.4 billion transaction and to protect \$164 million investment by client, Ashford Hospitality Finance, LP) (served as lead attorney on case; wrote and argued application for temporary restraining order; handled and defeated motions to dissolve).

17. My ability to work cooperatively and efficiently with other firms is just as important as my experience. In my work on *In re Crude Oil Commodity Futures Litigation*, I managed dozens of firms; similarly, I coordinate with attorneys with individual clients in the *Chesapeake Barnett* MDL for discovery issues, motion practice, and hearing preparation. In this litigation, Andrew Free, Tina Wolfson, and myself have been actively working together since 2017 to develop a case management strategy that will push the litigation forward in such a way that lessens the burden on all parties and the Court.

18. Combining the Ahdoot & Wolfson and the Law Office of Andrew Free (and their widely-recognized subject matter expertise) with Burns Charest (and its class- and complex-litigation experience) has given our clients a powerful, effective combination for the task at hand.

1           19. Through direct interviews with these clients regarding the conditions of  
2 their confinement, analysis of documents from The GEO Group, Inc. and third parties,  
3 including governmental organizations, the City of Adelanto, and others, and preparing  
4 for, attending, and taking depositions in this case, I have become intimately familiar with  
5 the processes, procedures, and practices surrounding the detainee voluntary work  
6 program and corporate policies and procedures at the GEO facility in Adelanto,  
7 California.

8           20. I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the  
9 foregoing is true and correct to the best of my knowledge.

10  
11 Dated: September 18, 2019

/s/ Daniel Charest

Daniel Charest (Admitted *pro hac vice*)

Texas Bar # 24057803

**BURNS CHAREST, LLP**

900 Jackson Street, #500

Dallas, TX 75202

Telephone: (469) 904-4550

Facsimile: (469) 444-5002